

**U.S. District Court  
Southern District of Alabama (Mobile)  
CIVIL DOCKET FOR CASE #: 1:07-cv-00748-CG-M**

Rackley et al v. Ameriquest Mortgage Company, Inc.  
Assigned to: Chief Judge Callie V. S. Granade  
Referred to: Magistrate Judge Bert W. Milling, Jr  
Cause: 15:1601 Truth in Lending

Date Filed: 10/17/2007  
Date Terminated: 12/04/2007  
Jury Demand: Plaintiff  
Nature of Suit: 371 Truth in Lending  
Jurisdiction: Federal Question

**Plaintiff**

**Curtis Rackley**

represented by **Earl P. Underwood**  
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**Plaintiff**

**Ross Smitherman**

represented by **Earl P. Underwood**  
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*LEAD ATTORNEY*  
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**James Donnie Patterson**  
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**Kenneth J. Riemer**  
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*LEAD ATTORNEY*

**Plaintiff**

**Lindsey Smitherman**

represented by **Earl P. Underwood**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**James Donnie Patterson**  
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**Kenneth J. Riemer**  
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**Plaintiff**

**Jessie Holyfield**

represented by **Earl P. Underwood**  
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*LEAD ATTORNEY*  
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**James Donnie Patterson**  
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**Kenneth J. Riemer**  
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**Plaintiff**

**Teresa Holyfield**

represented by **Earl P. Underwood**  
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**James Donnie Patterson**  
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**Kenneth J. Riemer**  
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**Plaintiff**

**Debra Parker**

represented by

**Earl P. Underwood**

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**James Donnie Patterson**

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**Kenneth J. Riemer**

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**Plaintiff**

**Bob Parker**

represented by **Earl P. Underwood**

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**James Donnie Patterson**

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**Kenneth J. Riemer**

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V.

**Defendant**

**Ameriquet Mortgage Company, Inc.**

represented by **Stephen James Bumgarner**

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Date Filed	#	Docket Text
10/17/2007	<u>1</u>	COMPLAINT against Ameriquet Mortgage Company, Inc. ( Filing fee \$350 receipt number 530454, Online Credit Card Payment), filed by Lindsey Smitherman, Jessie Holyfield, Teresa Holyfield, Debra Parker, Bob Parker, Curtis Rackley, Ross Smitherman. (Attachments: # <u>1</u> Supplement Summons) (Patterson, James) Additional attachment added on 10/22/2007: Civil Cover Sheet (tot.). (Entered: 10/17/2007)

10/18/2007	<u>" 2</u>	Summons Issued to plaintiffs' counsel via mail for service on Amerquest Mortgage Company, Inc. (mab) (Entered: 10/18/2007)
10/18/2007	<u>" 3</u>	Service Notice issued 10/18/2007. Plaintiff to notify the Court of the action taken to effect service and the results thereof by 12/3/2007 pursuant to Local Rule 4.1(c). (mab) (Entered: 10/18/2007)
10/30/2007	<u>" 4</u>	RETURN OF SERVICE of Summons served 10/24/2007 as to Amerquest Mortgage Company, Inc. (Attachments: # <u>1</u> Exhibit Certified Mail Return Receipt) (Underwood, Earl) (Entered: 10/30/2007)
10/30/2007	<u>"</u>	Answer due from Amerquest Mortgage Company, Inc. on 11/13/2007 – See Doc. 4. (tot) (Entered: 10/30/2007)
11/06/2007	<u>" 5</u>	MOTION to Stay by Lindsey Smitherman, Jessie Holyfield, Teresa Holyfield, Debra Parker, Bob Parker, Curtis Rackley, Ross Smitherman. (Attachments: # <u>1</u> Exhibit A) (Underwood, Earl) (copy to Plf's attny on 12/10/07; copy to U.S. Attny w/summons) Modified on 12/10/2007 (tot). (Entered: 11/06/2007)
11/06/2007	<u>" 6</u>	ORDER granting Plaintiffs' <u>5</u> Motion to Stay. This action is hereby STAYED pending receipt of the MDL Panel's transfer order. This stay will remain ineffect until the court is notified of the MDL Panel's decision concerning transfer. Signed by Judge Callie V. S. Granade on 11/06/2007. (mab) (Entered: 11/06/2007)
11/13/2007	<u>" 7</u>	MOTION to Dismiss by Amerquest Mortgage Company, Inc.. (Bumgarner, Stephen) (Entered: 11/13/2007)
11/13/2007	<u>" 8</u>	Brief re <u>7</u> MOTION to Dismiss. (Attachments: # <u>1</u> Exhibit A to D# <u>2</u> Exhibit E to H# <u>3</u> Exhibit I) (Bumgarner, Stephen) (Entered: 11/13/2007)
11/14/2007	<u>" 9</u>	Disclosure Statement filed by Defendant Amerquest Mortgage Company, Inc.. (Bumgarner, Stephen) (Entered: 11/14/2007)
11/14/2007	<u>" 10</u>	Document endorsed NOTED by Judge Callie V. S. Granade : Corporate Disclosure Statement <u>9</u> filed by Amerquest Mortgage Company, Inc. (jts) (Entered: 11/14/2007)
11/14/2007	<u>" 11</u>	RESPONSE in Opposition re <u>7</u> MOTION to Dismiss filed by Lindsey Smitherman, Jessie Holyfield, Teresa Holyfield, Debra Parker, Bob Parker, Curtis Rackley, Ross Smitherman. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I) (Patterson, James) (Entered: 11/14/2007)
12/04/2007	<u>" 12</u>	Conditional Transfer Order (MDL) from Northern District of Illinois requesting transfer of action. Entire case file sent to requesting District consisting of Documents 1–11. (mab) (Entered: 12/10/2007)